

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HUMAN SERVICES**

**Call to Order:** Chair Kirk Wagoner, on February 10, 2017 at 3:00 PM, in Room 152  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Kirk Wagoner, Chair (R)  
Rep. Jessica Karjala, Vice Chair (D)  
Rep. Dennis R. Lenz, Vice Chair (R)  
Rep. Mary Ann Dunwell (D)  
Rep. Bill Harris (R)  
Rep. Ellie Hill Smith (D)  
Rep. Kathy Kelker (D)  
Rep. Forrest Mandeville (R)  
Rep. Gordon Pierson Jr (D)  
Rep. Vince Ricci (R)  
Rep. Walt Sales (R)  
Rep. Barry Usher (R)  
Rep. Tom Welch (R)

**Members Excused:**

Rep. Tom Jacobson (D)  
Rep. Matt Regier (R)

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Carolyn Tschida, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 334, 2/1/2017; HB 328, 2/3/2017; HB 333, 2/3/2017

**HEARING ON HB 334**

**Opening Statement by Sponsor:**

00:01:20 Rep. Jon Knokey (R), HD 65, opened the hearing on HB 334, Directing that  
medicaid appropriations be used only for medicaid expenditures.

**EXHIBIT(huh30a01)**

00:01:48 Rep. Regier joined the meeting

**Proponents' Testimony:**

00:07:02 Diana Tavary, Montana Children with Disabilities Advocacy (PLUK)

00:08:26 Rose Hughes, Montana Healthcare Association (MHCA)

**EXHIBIT(huh30a02)**

00:11:39 Matt Kuntz, NAMI Montana

00:12:21 Jackie Boyle, AARP Montana

00:13:14 Beth Brennenman, Disability Rights Montana

00:14:15 Charlie Briggs, Easter Seals Goodwill

00:15:00 Kelly Jepson, Consumer Direct Care Networks

**EXHIBIT(huh30a03)**

00:16:23 Eve Franklin, Montana Association of Community Disability Providers (MACDS)

**Opponents' Testimony:**

00:18:07 Director Dan Villa, Office of Budget Program and Planning (OBPP)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:24:20 Rep. Regier

00:24:44 Rep. Knokey

00:27:05 Rep. Usher

00:27:36 Dan Villa, OBPP

00:28:06 Rep. Usher

00:28:31 Dan Villa, OBPP

00:30:00 Rep. Kelker

00:32:10 Dan Villa, OBPP

00:33:22 Rep. Karjala

00:37:43 Dan Villa, OBPP

00:38:16 Rep. Mandeville

00:42:18 Dan Villa, OBPP

00:42:30 Rep. Dunwell

00:49:00 Rose Hughes, MHCA

00:49:40 Rep. Regier

00:50:04 Rep. Knokey

00:52:28 Rep. Pierson

00:52:48 Dan Villa, OBPP

00:54:45 Rep. Usher

00:56:04 Kelly Jepson, Consumer Direct Care Networks

00:56:17 Rep. Dunwell  
00:57:10 Jackie Boyle, AARP Montana  
01:00:28 Rep. Kelker  
01:02:53 Dan Villa, OBPP  
01:03:15 Rep. Mandeville  
01:06:00 Dan Villa, OBPP  
01:06:20 Rep. Hill Smith left the meeting

**Closing by Sponsor:**

01:06:31 Rep. Knokey  
  
01:07:06 Chair Wagoner  
  
01:07:20 Recess  
01:17:01 Reconvene

**HEARING ON HB 328****Opening Statement by Sponsor:**

01:17:10 Rep. Ron Ehli (R), HD 86, opened the hearing on HB 328, Revise county crisis intervention and jail diversion grant procedures.

**Proponents' Testimony:**

01:20:17 Mike Foster, Montana Catholic Hospitals; St Peter's Hospital; Bozeman Health Hospital  
01:23:07 Aimee Grmoljez, Billings Clinic  
01:24:20 Matt Kuntz, NAMI Montana  
01:25:50 Beth Brenneman, Disability Rights Montana

**Opponents' Testimony:**

01:26:38 Zoe Barnard, Department of Public Health and Human Services (DPHHS)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:29:00 Rep. Karjala  
01:29:35 Rep. Ehli

**Closing by Sponsor:**

01:33:16 Rep. Ehli  
  
01:35:00 Recess  
01:40:50 Reconvene

**HEARING ON HB 333****Opening Statement by Sponsor:**

01:41:07 Rep. Frank Garner (R), HD 7, opened the hearing on HB 333, Adopt the Help Save Lives from Overdose Act.

**Proponents' Testimony:**

01:43:06 Rep. Jim Hamilton  
01:45:04 Bill Gallea, Montana Medical Association (MMA)

**EXHIBIT(huh30a04)**

01:47:50 Tony King, Montana Pharmacy Association (MPA)

**EXHIBIT(huh30a05)**

01:51:55 Matt Kuntz, NAMI Montana  
01:52:35 Brian Lockerby, Montana Department of Justice (DOJ)  
01:53:09 Kevin Olson, Montana Department of Corrections (COR)  
01:53:30 Greg Dorrington, Montana Medical Association (MMA)

**EXHIBIT(huh30a06)**

01:57:00 Dr. Jim Burkholder, Board of Medical Examiners  
01:57:30 Mark Murphy, Montana Association of Chiefs of Police; Montana Police Protective Association; Montana Sheriffs and Peace Officers Association  
01:58:11 Abigail St. Lawrence, Montana Association of Naturopath Physicians (MANP)  
01:58:43 Rep. Jessica Karjala  
02:01:00 Stacey Anderson, Montana Primary Care Association  
02:01:23 Aidan Myhre, Kalispell Regional Medical Center (KRMHC)  
02:02:17 Aimee Grmoljez, Billings Clinic  
02:02:32 Jessie Luther, Benefis Health System; Montana Hospital Association (MHA)  
02:03:40 Mike Foster, Montana Catholic Hospitals  
02:04:00 Dr. Greg Holzman, Department of Public Health and Human Services  
02:04:35 Jim Ahrens, Montana Dental Association

**Opponents' Testimony:**

02:05:00 Al Smith, Montana Trial Lawyers Association (MTLA)

**Informational Testimony:**

02:06:50 Marcy Bough, Montana Board of Pharmacy  
02:07:07 Dr. Harry Sibold, Board of Medical Examiners, Dept of Labor and Industry  
02:08:03 Amie Goroski, VA Pharmacist

**Questions from Committee Members and Responses:**

**Closing by Sponsor:**

02:08:45 Rep. Garner  
  
02:10:00 Recess  
02:18:04 Reconvene

**EXECUTIVE ACTION ON HB 235**

02:18:10 **Motion:** Rep. Lenz moved that **HB 235 DO PASS.**

02:18:29 Rep. Kelker  
02:23:20 Rep. Regier

**EXHIBIT(huh30a07)**

02:23:50 **Motion/Vote:** Rep. Dunwell moved that **HB 235 BE AMENDED**. Motion failed 7-8 by roll call vote with Rep. Dunwell, Rep. Harris, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker and Rep. Pierson voting aye. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**Discussion:**

02:28:00 Rep. Pierson  
02:31:21 Rep. Regier  
02:31:37 Rep. Usher  
02:32:16 Rep. Lenz  
02:33:29 Chair Wagoner  
02:34:06 Rep. Kelker

02:35:00 **Motion:** Rep. Dunwell moved that **HB 235 BE AMENDED**.

02:24:15 Sue O'Connell, Legislative Services Division  
[EXHIBIT\(huh30a08\)](#)

02:24:33 Rep. Dunwell

**Discussion:**

02:37:01 Chair Wagoner

02:37:23 **Vote:** Motion failed 3-12 by roll call vote with Rep. Dunwell, Rep. Kelker and Rep. W. Sales voting aye. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**Discussion:**

02:38:25 Rep. Pierson

02:38:48 **Vote:** Motion failed 2-13 by roll call vote with Rep. Kelker and Rep. M. Regier voting aye. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:39:54 **Motion/Vote:** Rep. Lenz moved that **HB 235 BE TABLED**. Motion carried 12-1 by voice vote with Rep. Pierson voting no. Rep. Hill Smith and Rep. Jacobson were excused.

**EXECUTIVE ACTION ON HB 264**

02:40:24 **Motion:** Rep. Lenz moved that **HB 264 DO PASS**.

**Discussion:**

02:40:33 Sue O'Connell, LSD  
02:40:48 Discussion Rep. Dunwell  
02:41:17 Rep. Usher

02:41:42 **Vote:** Motion failed 7-8 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson, Rep. Karjala, Rep. Kelker, Rep. Mandeville and Rep. Pierson voting aye. Rep. Hill Smith and Rep. Jacobson voted by proxy.

02:42:55 **Motion/Vote:** Rep. Lenz moved that **HB 264 BE TABLED**. Motion carried unanimously by voice vote. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**EXECUTIVE ACTION ON HB 285**

02:43:17 **Motion:** Rep. Lenz moved that **HB 285 DO PASS**.

02:43:25 Sue O'Connell, LSD

02:43:43 Chair wagoner

02:43:49 Sue O'Connell, LSD

02:44:22 **Motion:** Rep. Lenz moved that **HB 285 BE AMENDED**

**Discussion:**

02:44:40 Sue O'Connell, LSD

02:45:22 Rep. Usher

02:45:31 Sue O'Connell, LSD

02:45:42 **Vote:** Motion carried 14-1 by roll call vote with Rep. Mandeville voting no. Rep. Hill Smith and Rep. Jacobson voted by proxy.

**Discussion:**

02:47:00 Rep. Karjala left the meeting

02:47:10 Rep. Pierson

02:47:33 Rep. Lenz

02:48:16 Rep. Harris

02:49:04 Rep. Welch

02:49:24 Rep. Sales

02:49:41 Rep. Usher

02:50:11 Rep. Pierson

02:50:29 Chair Wagoner

02:51:15 Rep. Lenz

02:51:32 Rep. Mandeville

02:52:13 **Motion/Vote:** Rep. Lenz moved that **HB 285 DO PASS AS AMENDED**. Motion carried 8-7 by roll call vote with Rep. Harris, Rep. Lenz, Rep. Mandeville, Rep. M. Regier, Rep. Ricci, Rep. Usher and Rep. Wagoner voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Karjala voted by proxy.

02:53:51 Chair Wagoner

02:54:11 Rep. Mandeville

02:54:25 Chair Wagoner

02:54:33 Rep. Pierson

**ADJOURNMENT**

Adjournment: 02:54:45

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Carolyn Tschida, Secretary

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Additional Documents:

**EXHIBIT**([huh30aad.pdf](#))